

S. Bathburn

A STATEMENT
OF
AFFAIRS AT RED CLOUD AGENCY,
MADE TO THE
PRESIDENT OF THE UNITED STATES,
BY PROFESSOR O. C. MARSH.

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TO THE PRESIDENT OF THE UNITED STATES:

SIR: In the two interviews I have had with you on Indian Affairs, I was impressed with your earnest desire to do justice to the Indians, and with your broad and philanthropic views on the whole Indian Question. This must be my excuse, as a private citizen, for coming again to you, to lay before you a statement of wrongs committed on the Sioux Indians, mainly under my own observation, during a recent visit to their country. My visit to this region was wholly in the interests of Science, with no intention or wish to investigate Indian affairs. The frauds I observed were brought to my notice by Red Cloud, who refused to allow my party to enter the "Bad Lands," until I had promised to submit his complaints to you, in person.

Since my interview with you upon this subject, I have been informed by the Commissioner of Indian Affairs of the appointment of a committee to investigate affairs at the Red Cloud Agency, and invited to lay a statement of the facts before them. This I am quite ready to do whenever the committee request it. I must decline, however, to give my statement to the Interior Department alone, for the following reasons:

1st. I have no confidence whatever in the sincerity of the Secretary of the Interior or the Commissioner of Indian Affairs, when

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they publicly announce their wish and determination to correct the present abuses in Indian management, because I have reason to know that they have long been aware of these abuses, and have made no sincere effort to reform them. 2d. In all my intercourse with these two officials, their object has manifestly been to find out, not so much what the frauds actually were, as the extent of my information concerning them, so as to prevent, by every means in their power, all publicity or exposure of them. 3d. The evidence now in my possession reflects unfavorably on both Secretary Delano and Commissioner Smith.

For these reasons, I have thought best to lay before you, to whom, in accordance with my promise to Red Cloud, I made my first communication, the accompanying statement in detail, in full confidence that the evidence presented will meet with the consideration its importance demands.

In the Statement which accompanies this letter, I have given the results of my investigation into the affairs of Red Cloud Agency, the largest and most important in the West. These results clearly indicate both mismanagement and fraud, especially in the following particulars:

1st. The Agent, J. J. Saville, is wholly unfitted for his position, and guilty of gross frauds upon the Indians in his charge.

2d. The number of Indians at this Agency has been systematically overstated, for purposes which can only contemplate fraud.

3d. The last issue of Annuity Goods, which I witnessed, was a suspicious transaction, and, in part, at least, fraudulent.

4th. The beef cattle given to the Indians have been very inferior, owing to systematic frauds practiced by the agent and beef contractors.

5th. The pork issued to the Indians during my visit was not suitable for human food.

6th. The flour was very inferior, and the evidence of fraud in this article is conclusive.

7th. The sugar and coffee issued were not good, although better than the other supplies.

8th. The tobacco observed was rotten, and of little or no use to the Indians.

9th. In consequence of fraud and mismanagement, the Indians suffered greatly during the past winter for want of food and clothing.

10th. The contract for freight from Cheyenne to Red Cloud Agency was fraudulent, as the true distance is 145 miles, while the contractor was paid for 212 miles.

I would especially call your attention to the evidence of fraud in beef cattle, as presented in the accompanying statement. This subject I investigated with much care, as beef is the principal article of food of the Sioux Indians, and the frauds I observed have caused great suffering among them, as well as great pecuniary loss to the Government.

The statement I have prepared is supported in all its essential parts by the testimony of officers of the Army, who were with me on my expedition, or at the Red Cloud Agency. Among these officers are several personally known to you, and all are gentlemen of high character. Should any part of my statement be seriously questioned, I trust you will allow these gentlemen to be heard. If the commanding officers of all posts near Indian Agencies, or other equally trustworthy and disinterested observers there, could likewise testify, I think it would be found that I have but faintly indicated the corruption pervading Indian affairs.

I have purposely confined myself in this statement to a single agency, and mainly to the time of my visit, without reference to much other testimony, which has come to me incidentally in the prosecution of my inquiries, showing frauds of equal magnitude at other points. This corruption, which is a constant source of discontent and hostility among the Indians themselves, is, in my judgment, a natural result of the present loose and irresponsible system of furnishing the Indians with goods and supplies, a system that tends directly to invite fraud. I do not believe that anything but a radical change in this respect will prevent the continued demoralization of the Indian Service. You alone have

the will and the power to destroy that combination of bad men, known as the Indian Ring, who are debasing this service, and thwarting the efforts of all who endeavor to bring to a full consummation your noble policy of peace.

Very respectfully,

Your obedient servant,

O. C. MARSH.

Yale College, July 10th, 1875.

TO THE PRESIDENT OF THE UNITED STATES:

SIR: In November last, while on a geological expedition to explore the "Bad Lands" south of the Black Hills, I was obliged to pass near Red Cloud Agency, and was detained there several days by the opposition of the Sioux Indians. In endeavoring to propitiate the Indians, and obtain their permission to proceed with my party, I held several councils with Red Cloud and his principal chiefs, saw the issue of Annuity goods, and provisions, and had other opportunities of seeing the actual state of affairs at this important Agency. I found the Indians in want of food and clothing, greatly dissatisfied with their agent, J. J. Saville, and strong in their belief that they were systematically defrauded of the goods and supplies sent them by the government. In one council, attended by nearly all the prominent chiefs, Red Cloud made specific charges of fraud against the agent and contractors, and urged me to make this known to the Great Father, and to carry to him samples of the rations the Indians were then receiving. Mainly to gain consent for my expedition to proceed, I made Red Cloud the promise he desired. Soon after, he gave me samples of flour, sugar, coffee, and tobacco, to show to you, assuring me that they were the rations he himself was using, and fair samples of those lately issued to his people.

In consequence of the promise thus made to Red Cloud and his associates, their immediate opposition to my proposed explorations ceased. Other difficulties were successively overcome, the expedition at last reached its destination, and fully accomplished its purpose, notwithstanding great suffering from cold, and open hostility of the Indians around us. When about to return, we escaped a large war party of Indians in consequence of warning and assistance sent by Red Cloud. This act of kindness led me on my return to the Agency to make further investigations there, especially in the directions indicated by the chiefs, and I soon found reason to believe that their statements of mismanagement and fraud were essentially true. The information I received also from officers of the Army, and other trustworthy observers familiar with the subject, fully confirmed this, and proved, moreover, that affairs at this Agency had long been in the same condition.

On my return to the East, my professional duties prevented me for some time from fulfilling the promise made to Red Cloud; but in April last, as you will remember, I gave you his message, showed you the sample of rations he had entrusted to me, and received from you the assurance of your wish to do full justice to the Indians, and correct any abuses in their management. I then regarded my mission at an end. As a matter of courtesy, I showed to the Commissioner of Indian Affairs the same samples, and told him of various things I saw at the Red Cloud Agency that indicated a bad state of affairs there; naturally supposing that such information, from a disinterested observer, would be kindly received, and existing wrongs be prevented in future. I regret to say that the information I ventured to offer to this official was far from acceptable; the inferior rations I exhibited were plausibly explained, and the damaging facts I had observed were considered of little consequence. Commissioner Smith's manner of receiving this information naturally deterred me from giving him many other facts of a similar nature then in my possession, and I have since deemed it best to withhold them.

Subsequently, I met the Board of Indian Commissioners in New York, at their request, and gave them a more full account of the condition of things at Red Cloud and other Agencies that I had visited. I again showed the rations Red Cloud had given me, and stated to the Commissioners that, while I did not vouch for these particular samples, I had no reason to doubt, from all I saw at his Agency, that they fairly represented the supplies issued during my visit. I gave, also, a detailed statement of some of the frauds in beef cattle, and other supplies, and showed that these had resulted in great suffering among the Indians during the past winter. In answer to their inquiries, I pointed out to the Commissioners the great defects in the present system of supplying the Indians with food and clothing, and how, in my opinion, these defects could be remedied.

A few days afterward, the following letter appeared in the public press. It explains itself.

DEPARTMENT OF THE INTERIOR,
WASHINGTON, D. C., May 10.

The Hon. CLINTON B. FISK, President Board of Indian Commissioners.

SIR: I am desirous of appointing a Commission from the members of your Board to investigate certain reports put in circulation by a Mr. Marsh, relative to the Indian service at Red Cloud Agency, and I write you to request that you will consult with your Board and name to me such members of it as may be designated to make the investigation. It would be well to have the Commission consist of three members. Should you be unable to designate them from your Board, will you do me the favor to recommend some other suitable persons as Commissioners? I desire to have the Commission named by yourself or the Board of which you are President. Yours, etc.

C. DELANO.

Supposing that this commission would be appointed, I at once took measures to obtain the testimony of those who were with me on my expedition, and others familiar with the facts I had observed, since I felt confident, that all I had stated about mismanagement of Indian affairs could be readily substantiated by abundant evidence.

While the Sioux delegations were in Washington, in June last, I had the honor of meeting, personally, on his invitation, the Honorable Secretary of the Interior. He informed me that he

had long taken a deep interest in the Indians, and had had great experience in the management of their affairs. He was especially interested in the efforts to Christainize and civilize these wards of the nation, and he earnestly entreated me to aid him in the enterprise. His appeal in behalf of this noble work—of which so much is said in the East, and so little seen in the West—moved me deeply; but having no time and little inclination for such professional philanthropy, I was obliged to decline. The state of affairs at Red Cloud Agency in November last, to which I directed his attention, he declined to discuss; but, in the most solemn manner, assured me that if I would give him all my information on this point, he would at once see that the abuses, if any existed, were officially removed. He manifested great sorrow that I had not brought Red Cloud's samples directly to him—a service which Red Cloud himself, who knew the Honorable Secretary, did not ask me to perform.

In reply to the urgent request of the Honorable Secretary for the information in my possession about Indian affairs, I informed him, that whenever the Commission he intended to appoint, or any other Commission empowered to ascertain the whole truth, should be ready, I would cheerfully co-operate with it in every way in my power.

A month later, or July 2nd, I read in the newspapers the following letter—the original of which, dated July 1st, 1874, I subsequently received by mail:—

“WASHINGTON, July 1st, 1875.

“The Hon. E. P. Smith, Indian Commissioner, sent the following letter to-day to Prof. Marsh at New Haven:

“At the request of the Honorable the Secretary of the Interior, the Board of Indian Commissioners have nominated as a committee to investigate affairs at Red Cloud Agency, the Hon. A. H. Bullock of Worcester, Mass., the Hon. Thos. C. Fletcher of St. Louis, Mo., and the Hon. George W. Lane of the Chamber of Commerce, New York; and it is understood that these gentlemen have accepted the service to which they have been invited. In preparing instructions for their guidance, I have not been able to furnish them your complaints against the Red Cloud Agency administration, except in a general way, as detailed to me by yourself at several interviews. But I have informed them of the request of the Secretary that you will reduce these complaints to a written statement, to be accom-

panied with such proofs and suggestions as to reliable sources of evidence, as will aid in securing a thorough investigation. I have also informed them of the appointment and purpose of this Commission, and my intention to renew the request heretofore made by the honorable Secretary, that you will now furnish the said written statement making the charges as specific, and furnishing evidence as much in detail as possible: or if you are not prepared to do this, that you will in any way most agreeable to yourself make known in a definite form your impressions and views respecting Indian affairs, as resulting from your personal observation while in the Indian country. I make this request of you in the belief that you can have no other desire in this matter than that the interests and rights both of the Indians and Government may be protected. And I desire to renew the assurance heretofore given you, that it is the sincere wish and purpose of the Department to prevent frauds as far as possible, and to omit no effort to discover them when perpetrated, and in all respects to bring the Indian service to the highest possible standard of humanity and strict integrity."

To which, my reply was as follows:

YALE COLLEGE, NEW HAVEN,
July 3d 1875.

Hon. E. P. Smith, Commissioner of Indian Affairs:

DEAR SIR—I have received your letter of the 1st inst., informing me of the appointment of Hon. A. H. Bullock, of Massachusetts, Hon. T. C. Fletcher, of Missouri, and Hon. George W. Lane, of New York, as a committee to investigate affairs at Red Cloud Agency. I have as yet received no communication from the gentlemen named, but I will at once proceed to prepare a detailed statement, embodying the evidence on this subject, now in my possession, a copy of which I will with pleasure lay before the committee, so soon as they inform me that they have organized, and are ready to act.

Very truly yours,

O. C. MARSH.

The Department letter of instructions to the Commission, although the gentlemen named had not accepted their appointment, as intimated in the Commissioner's letter to me, was published also. This letter of instructions, as published, contains several erroneous statements and misrepresentations, especially as to the nature and extent of my observations at Red Cloud Agency, and virtually prejudgets the case. How it corresponds with the facts, may be seen from the evidence given below. The letter is as follows:

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN
AFFAIRS, WASHINGTON, D. C., July 1, 1875.

GENTLEMEN—On the nomination of the Chairman of the Board of Indian Commissioners, at the request of the Secretary of the Interior, you have been appointed by him a commission to investigate the affairs of the Red Cloud Agency.

The occasion for such investigation has mainly originated in statements made by Mr. O. C. Marsh, Professor in Sheffield Scientific School, Yale College, concerning matters which he observed while at the agency during November last. As yet these statements have no definite form known to the office other than as they have appeared in the public press, and as made verbally by Mr. Marsh to myself.

In the latter part of March last, Prof. Marsh brought to me certain samples of tobacco and flour, and sugar, which he said he did in accordance with a promise made to Red Cloud in consideration of a promise by Red Cloud to procure an entrance for him into the Black Hills country for scientific purposes. He stated that in a private interview with Red Cloud, that Indian Chief complained very bitterly of his agent in many respects, and earnestly desired a change, and that he had given him these as samples of the supplies which he was receiving from Government. He also stated that the beef cattle issued to the Indians were small in size, and otherwise of inferior character; and that there was much confusion in agency matters, especially in the issuing of a large amount of goods in a single day. Prof. Marsh expressed his belief that there might have been an exchange of articles purchased for the Indians for others of inferior quality while en route between Cheyenne and the agency. He also stated that his views as to agency affairs were confirmed by conversations with other persons around the agency.

Prof. Marsh stated that he had not taken any measures to satisfy himself that the samples given to him by Red Cloud were fair samples of the supplies which were then being issued, and could not say from his own observation that they were fair samples; but that on one occasion, when a sack of flour had fallen from an Indian woman's arms and broken open, he saw the color of the flour as it lay upon the ground, and thought it not much different from the sample furnished by Red Cloud, but not being a judge of flour he could not make the comparison with any degree of accuracy. The samples referred to Prof. Marsh did not leave with me, and it is presumed that he has them still in his possession.

His other statements in regard to agency affairs are of a still more indefinite character.

In an interview subsequently held with the honorable Secretary of the Interior, Prof. Marsh was invited by him to reduce his statements of frauds or irregularities in the Indian service to writing in such form as would best aid in their investigation. To this request Prof. Marsh has not yet responded, nor has he declined it. I have this day notified him of your appointment, and again requested him to furnish such statements or suggestions as may aid in finding the facts as to the administration of Red Cloud Agency.

If, however, Prof. Marsh should still decline to furnish such assistance, it is the desire of the honorable Secretary that you proceed in the investigation, and avail yourselves of all the means that can be found after arriving upon the ground, or before, to learn the state of affairs; and that you will, without fear or favor, investigate all matters pertaining to that agency so thoroughly as to satisfy yourselves beyond a doubt as to facts upon which you will make a clear report relative to its past and present condition and management, with such recommendations as will enable the Department to take proper action in the premises.

You will undoubtedly meet with persons of strong partisan feelings enlisted both for and against the administration of the present agent; and as you proceed you will become fully aware of the misrepresentations which such partisanship

naturally produces, and the extreme difficulty of discovering the truth amid the conflicting statements and allegations.

While guarding against giving undue weight to accusations which originate in malice and suspicion only, you will not hesitate to probe all questions to the bottom, and bring to light any official neglect or fraudulent or unfair transactions of any kind or degree, by whomsoever committed. A copy of Agent Saville's letter requesting such investigations is herewith furnished for your information; also a full report of the councils held with Red Cloud and a delegation of the chiefs and head men of Red Cloud Agency at the Department of the Interior, May 28 and June 5.

At Cheyenne you will find C. H. Bostwick, the storekeeper of the Government warehouse, also Mr. Long, the inspector of the flour and the supplies which have been shipped from Cheyenne to Red Cloud Agency during the year. You are also requested while in the Indian country to make such observations pertaining to Indian affairs generally at Red Cloud Agency as will be of assistance to the administration of the Indian Bureau.

Of this Commission the Hon. A. H. Bullock of Worcester, Mass., is the Chairman, from whom you will receive notice of the time of proceeding to Cheyenne. Your compensation while actually engaged in this service will be at the rate of \$8 per day, in addition to your necessary and actual traveling expenses. One of the inclosed requisitions for transportation will be honored by the ticket agent of the Union Pacific Railroad at Omaha, and the other on your return at Cheyenne. The weekly stage at Laramie en route to Red Cloud, leaves Cheyenne on Monday early in the day.

Your attention is called to the circular letter of the Honorable Second Controller of Feb. 26, 1875, and to Department circular of July 1, 1874, for information as to requirements in settling your accounts for expenses.

Very respectfully your obedient servant,

EDW. P. SMITH.

To the Hon. A. H. Bullock, Worcester, Mass.; Geo. W. Lane, New York City; Thomas C. Fletcher, St. Louis, Mo.

Up to the present time, I have received no information that this Commission has organized, but I stand ready to aid it in every way in my power. In the meantime, the communication I now transmit to you contains the information asked for by the Commissioner of Indian Affairs.

The results of my investigation into the affairs of Red Cloud Indian Agency are embodied in the following statements, arranged for convenience under distinct heads:—

I. The Indian Agent at Red Cloud's Agency.

In the first conversation I had with Red Cloud, when Gen. L. P. Bradley and Col. T. H. Stanton were present, he complained bitterly of his Agent, J. J. Saville, who for the past two years has had charge of his Agency. Red Cloud's specified charges were, that his Agent was incompetent, weak and vacillating, having no influence over the Indians; and especially that he was in league with the contractors to defraud the Indians of the food and clothing sent them by the Government. I regret to say that all I saw myself at the Agency, and all I learned from trustworthy observers, and official records, has convinced me that these charges were well-founded. As soon as I met the Agent himself, and observed his method of dealing with Indians, it was at once evident to me that he was entirely unfit for the responsible position he occupied. This fact is illustrated by an occurrence, now well known, which took place a few days before my arrival, when the Agent, by a single act of folly, aroused the bitter hostility of the Indians in his charge, and came near sacrificing the entire white population of the Agency. This was avoided only by the rare coolness and 3/ bravery of Lieut. E. Crawford, 4th Cavalry, who came with his company to the rescue, at the critical moment. Without military protection, the Agent could not have remained in charge of the Indians a single day, as their threats against him for indignities and alleged frauds continually practiced upon them were open and violent. Of the more debasing influences which this Agency was openly exercising upon the Indians I will not now speak, although the evidence on this point was obtained by direct observation. That a chief of such note and ability as Red Cloud should be subjected to the caprices of such an agent, is in itself a gross indignity, and ill-calculated to inspire him or his people with respect for the advantages of civilization.

There appeared to be a total want of system in the management of Agency affairs. The issues of Annuity goods, of beef and other supplies, all were made in a loose and unbusinesslike way, in which

a just distribution among the Indians was impossible. Agent Saville was placed in his position, to guard the interests of the Indians and of the Government, and it appears that he betrayed both alike. He defrauded the Indians by withholding from them provisions which he charged against the Government as issued to them. For example: In his abstract of Provision Issues for November, 1874, which he rendered to the Interior Department, and which is now there on file, he states that, Nov. 8, 1874, he issued to 12,351 Indians, fresh beef amounting to 271,248 pounds, or over 260 head of cattle, according to the average weight which he allowed the contractor on the last herd received. The truth is that he issued no beef, whatever, to the Indians on that day, nor for several days afterward, as I ascertained from the Agent himself, and others at the Agency. I arrived at the Agency Nov. 9th, and was informed by the Agent that he had been for some time withholding rations from the Indians until they would consent to be counted; and this fact he communicated officially to the Department, and subsequently repeated it to Bishop W. H. Hare, in my presence, in Washington. The first issue after the counting was finished was Nov. 14, and I was then present, and know that for several days previously the Indians had been suffering from want of the very food he claimed in his official report to have issued. In the same manner, his official reports represent other issues that never took place. How he, at the same time, was defrauding the Government, in receipting for beef which he did not receive, is fully shown in Section IV of this statement.

The incompetence and true character of Agent Saville were well known to the Interior Department before my visit, as is shown by an official report made by United States Indian Inspector J. D. Bevier, Oct. 21, 1874. In this report, the Inspector exposed a fraudulent contract made privately by Agent Saville with his father-in-law, A. R. Appleton, by which the Government would have been largely a loser. Inspector Bevier states, moreover, that while investigating the contract, Agent Saville made false representations to him, and Mr. Appleton endeavored to bribe him to

silence. Other special Commissioners of the Interior Department had, likewise, reported unfavorably of this Agent and affairs at the Agency. And yet this man has for the past two years, with the full approval of the Department, had charge of the most important Agency in the West, where nearly half a million of dollars annually passes through his hands.

In all his official relations Agent Saville has proved himself a weak man, and he should never have been placed in so responsible a position. If honest when appointed, as some good men believe, he fell an easy victim to the wiles of beef and freight-contractors of the Indian Ring, as many stronger men, agents and high officials, have done before him.

II.—*Number of Indians at Agency Over-estimated.*

There is good reason to believe that the number of Indians supplied with provisions at Red Cloud Agency has been largely over-estimated, resulting in extensive losses to the Government. According to the Provision Returns of Agent Saville for the fourth quarter of 1874, which he rendered to the Interior Department, there were 15,117 Indians who received rations at the Agency, Oct. 1, 1874. The same official document states that on Nov. 8 (the day before my arrival), there were 12,351 Indians fed at the Agency. I was informed by the Agent, and other persons immediately connected with the Agency, that two or three thousand of these Indians belonged to the Northern tribes, and were encamped within a short distance of the Agency, on the north side of White River. Agent Saville subsequently confirmed this statement in an interview with Rev. S. D. Hinman and myself, in Washington, May 31, 1875, and stated, also, that some of these Northern Indians received Annuities at the annual issue, Nov. 12, 1874. A few days after the issue of Annuity goods, when about to start with my expedition across White River to the northward, I was informed by the Agent and others, that the Northern Indians were still in camp there; but on cross-

ing the river with my party, I found less than forty lodges by actual count, and ascertained that all or nearly all of these were Ogallalas, belonging to Red Cloud's band. During the next ten days, moreover, I repeatedly crossed the great northern trails leading to the Black Hills, and ascertained beyond a doubt that no considerable body of Indians had recently passed over them. For these reasons, and others which I deem equally conclusive, I believe the thousands of Northern Indians officially reported at this Agency to be a myth.

The number of Indians actually at Red Cloud Agency, when I was there in November last, could not have been more than 1,200 lodges, or 8,400 individuals. Judging from all the information I could obtain, I doubt if this number has been exceeded within the last two years. Some observers, best qualified to judge, placed the number lower, and among these was Jules Ecoffe, of Fort Laramie, whom I have known for several years. He was with me at the Agency, acted as my interpreter in one council, and is personally acquainted with nearly all the Indians there. The statement of the Agent, that, on October 1st, there were at the Agency over 15,000 Indians, no disinterested person, familiar with the facts, believes for a moment, especially as at that time the wilder Indians had not commenced to return to the Agency for the winter.

III. *Issue of Annuity Goods.*

I was present at the Red Cloud Agency at the annual issue of Annuity goods, November 12, 1874, and personally observed nearly all that were delivered. I saw the entire issue of blankets, and carefully examined the quality of those delivered. The number of bales of blankets I did not count as they were issued, but, soon after all were given out, my attention was called to the number of these by the chief Red Dog, who stood near me in the warehouse during the issue. He strongly asserted that the issue was fraudulent, and that the number of blankets issued was much less than the Indians were entitled to; and that the number is-

sued to him for his own band was not more than half what he should have had. This earnest protest on the part of the chief, who is next in rank to Red Cloud, called my attention particularly to the amount issued; and on recalling the exact circumstances of the delivery, which I had witnessed a few minutes before, I felt reasonably certain that not more than twenty bales were issued, and that the number could not possibly have exceeded twenty-five bales. One of the persons whom I then saw assisting the agent in issuing the blankets was Louis Richard (or, as the name is usually pronounced and written at the Agency, Louis Reshaw), whom I knew personally, and subsequently employed as interpreter by the advice of General L. P. Bradley, who had previously employed him as guide, and spoke in high terms of his faithfulness and reliability. I subsequently met Louis Richard in Washington with J. S. Collins, Esq., of Fort Laramie, now secretary of the Special Sioux Commission, who had brought him on from the Red Cloud Agency as a trustworthy interpreter, and who spoke highly of his truthfulness. On conversing with Mr. Richard about the affairs of Red Cloud Agency, with which we were both conversant, I learned incidentally that he had carefully counted all the bales of blankets that were issued on November 12, 1874, when he assisted in the distribution which I witnessed. He assured me that the number of bales of blankets then issued was eighteen, each bale containing fifty pairs of blankets, and he gave me the following affidavit:

WASHINGTON, D. C., June 4th, 1875.

I hereby certify that at the issue of Annuities at Red Cloud Agency in Nov., 1874, I assisted the Agent, Dr. J. J. Saville, in the issue, and know from actual count that there were only eighteen bales of blankets issued, each bale containing fifty pairs. I was present at the whole issue, and saw all the Annuity goods delivered. No bales were left in the warehouse after the regular issue.

The brand U. S. I. D. on these blankets injured the cloth, so that, after a short wear, holes replaced the letters.

LOUIS RESHAW.

Witness,

J. MCKENNEY,
F. W. HAGUE.

DISTRICT OF COLUMBIA, SS.

I, John McKenney, a notary public in and for the district aforesaid, certify that Louis Reshaw, whose signature is affixed to the within affidavit, came before me and made oath that the matters stated in said paper are true to the best of his knowledge and belief.

Witness whereof, I have hereunto set my hand and notarial seal this 5th day of June, 1875.

J. MCKENNEY,
Notary Public.

That no bales of blankets remained at the Agency after the issue of Nov. 12, 1874, is shown by Mr. Richard's affidavit above quoted, and by Agent Savile's Property Returns, now on file in the Interior Department. This I also know from personal observation, as I was several times in the warehouse after the issue, and saw that none were there.

On subsequently examining the Property Returns of Agent Saville for the 4th quarter, 1874, at Red Cloud Agency, which he had rendered to the Indian Bureau, and were on file in the Interior Department, I was surprised to find that he had certified to the issue, on Nov. 12th, 1874, of no less than thirty-five bales of blankets, and had furnished a paper purporting to be a receipt of the Indian Chiefs for that number. In a recent communication from the Indian Bureau, I learn that the true number of bales shipped to Red Cloud Agency in 1874 was thirty-seven, or 1,850 pairs. Hence it would appear that the Indians at this Agency received less than one-half the number of blankets for which the government paid.

The blankets actually issued were bitterly complained of by the Indians, for two reasons—the first being their small sizes, which were not adapted to men as large as the Sioux braves, and were only fitted for women and children. The second and most serious objection, however, was the fact, that the brand U. S. I. D. on each blanket had been put on with some material which rotted or burned the cloth, and after a short wear this brand was replaced by holes, as stated above in the affidavit of Mr. Richard. This fact is now well known to every one at the Agency. These blankets were furnished by J. & J. Dobson, of Philadelphia.

The quantity and quality of the other Annuity goods issued during my visit, I will not now discuss, but I must enter an earnest protest against the manner in which the whole issue was made. The entire issue for the year was made in a few hours of a single November day, in the midst of a snow-storm. The Indians had been suffering for want of their blankets and other clothing during the cold weather which preceded the issue, and there is no good reason why the goods should not have been at the Agency, and delivered, at least a month earlier.

The issue itself was made in the most careless and irresponsible manner. The goods were delivered to the chiefs of bands, in bulk, in a hasty manner, without any system of checks to ascertain the actual amounts given or required. The only data by which the issue was regulated, was a pencil memorandum in the hands of the agent, who called off the quantity to be delivered to each chief or headman. Hence there was no guarantee that the Indians received even half of the goods intended for them. The Indians watched the issue with suspicion, and several of the chiefs asserted that it was fraudulent.

IV.—*Frauds in Beef Cattle.*

The frauds perpetrated in supplying the Red Cloud Agency with beef cattle have been so gigantic, and so long and systematically continued, that it is well worth while to show how they are accomplished, and who is responsible for the outrage.

The contract for furnishing cattle to this and other Sioux Agencies for the last fiscal year was given to J. K. Foreman, of Omaha, and was signed by Indian Commissioner Smith, July 14th, 1874. The cattle delivered were required to average 850 pounds for the first six months, and 1,000 pounds for the last six months, and the price was \$2.30 $\frac{1}{3}$ per 100 pounds, gross weight, on the hoof. It was expressly stipulated that: "All the beef offered for acceptance under this contract shall be subject to a thorough inspection, and if, on such inspection, any of it fails to conform to

the requirements of this contract, the same shall be rejected by the parties making the inspection." The inspectors were authorized, in such a case, to require the contractor to replace the rejected cattle within five days by proper beef. If not, the right was reserved to purchase the cattle required, at the expense of the contractor. A bond of \$150,000, with two good and sufficient sureties, was required to be given, to ensure the faithful fulfillment of the contract.

There is abundant evidence that this contract was not made in good faith. The contract was not filled by the party to whom it was given, but (like too many Indian contracts) was transferred for "a valuable consideration" a few days after it was signed, to W. A. Paxton, of Omaha. As this assignment could not take place, by the terms of the contract, "without the written consent of the Secretary of the Interior," the full responsibility of this transfer rests with him. This contract was nominally in force at the time of my visit to Red Cloud Agency. The real beef contractor, however, whom I found supplying this Agency, was the well known Bosler, notorious for frauds in previous contracts, and for this reason excluded by the published regulations from any participation in future contracts. This second virtual transfer of the contract to him was well known to every one at the Agency, and in that region, and must have been equally well known to the Interior Department.

On my arrival at the Agency, Nov. 9th, 1874, I ascertained that there had been no beef issue for some time, and only seven head of cattle were then remaining over from previous issues. These seven cattle had all been received for to the contractor, received by the agent, and were in his charge. All, or nearly all, of them, were subsequently issued to the Indians. These facts, which are important, I learned at the Agency, and they were fully admitted by Agent Saville to Rev. S. D. Hinman, the official interpreter of the Interior Department, and myself, in Washington, May 29th. These were the cattle examined, at Red Cloud's request, by General Bradley and his officers, and about which so much has

been said. The result of that examination is given in the following certificate, the original of which is in my possession :

We, the undersigned, officers of the United States Army, were present at an interview held at Red Cloud Agency on the 11th day of November, 1874, between Professor O. C. Marsh, and Red Cloud and Red Dog, and now bear individual testimony as to the wretched quality of the rations, and to the undersize and puny condition of seven head of Beef Cattle (the remainder of a herd), which were shown us by Red Cloud as having been issued to his people by the agent there stationed.

Each of us, unknown to the other, marked at that time his estimate of the gross weight of these cattle, and remember the average thereof to be 358lbs. ; Red Cloud, two other Indians, and one of the herders, asserting that these cattle were not smaller than those turned over for slaughter at any ordinary issue day.

L. P. BRADLEY,

Lieut. Col. 9th Infantry,

Commanding District Black Hills.

JOHN MIX,

Captain 2d Cavalry.

LEONARD HAY,

First Lieut., Adjutant 9th Infantry,

A. A. A. G. District Black Hills.

Fort Laramie, W. T., May 19, 1875.

This certificate, which was published while the Sioux delegation was in Washington, fully confirmed my own statement in regard to the same cattle, and is entitled to great weight, as these officers have had large experience in Western affairs, and are perfectly familiar with matters at the Sioux agencies in the Black Hills District. The Indian Bureau immediately endeavored to destroy the effect of this testimony, and the method adopted so well illustrates the manner in which that Office receives information reflecting on the management of its affairs, that it is worthy of record here ; especially as the same method had been employed to weaken the force of the facts I had previously laid before it about affairs at the same agency.

Commissioner Smith dictated to the agent of the Associated Press, for publication, the following counter-statement, which was widely published the next day, May 29th.

"Commissioner Smith of the Indian Bureau says, in regard to the letter of Gen. Bradley, published yesterday, that the cattle spoken of belonged to the contractor ; that they were sick, some of them with broken limbs, and that they

were not issued to the Indians, and that there was no intention of issuing them simply because they were in such a poor and sick condition. He asserts that Red Dog's statement was incorrect, and that Red Cloud informed him this morning that Red Dog lied when he told the story to Gen. Bradley and Prof. Marsh. The Commissioner also states that Gen. Bradley could have satisfied himself of this fact by a slight inquiry of the herdman or contractor if he had desired to do so."

As this reply contained some statements which I knew to be erroneous, I at once endeavored to ascertain the exact truth about these cattle. In company with Rev. S. D. Hinman, the official interpreter of the Interior Department, I called upon Agent Saville, May 29th, at his hotel, and asked him about the cattle examined by Gen. Bradley and the other officers. Agent Saville said that "these cattle did not belong to the contractor, but to the Government; that he had accepted them from the contractor and given receipts for all of them, and they were in his charge; that subsequently all except two of them were issued by him to the Indians; that these cattle were not sick, and none of them had broken legs; and that they were the only cattle at the agency when Gen. Bradley was there." I also called on Red Cloud himself, and he positively denied that he had held any conversation whatever with Commissioner Smith about these cattle that morning, as stated; and I subsequently learned by inquiry of all of the Sioux interpreters then in the city, through whom alone such a conversation could be held, that Red Cloud had no such conversation with Commissioner Smith. Red Cloud also told me that he "must have been misunderstood in the council of Friday (May 28). He did not mean to say that these cattle had been rejected by the agent, but simply that at the time Gen. Bradley saw them they had not been issued to the Indians, but had been left over from a former issue." This testimony fairly disposes of the explanation attempted on this point by Commissioner Smith.

On the morning of November 14th, while I was at the Red Cloud Agency, Mr. Bosler, one of the contractors, brought to the Agency a herd of several hundred head of Texas cattle, the first that had been received for some weeks previous. This lot was

accepted by the agent, and received for, but he only weighed a portion of the herd. These cattle, I saw and carefully examined. Major A. S. Burt, of the 9th Infantry, who commanded the escort to my expedition, was with me at the time, and also examined them with care. They were the poorest lot of Texas cattle I have ever seen during all my experience in the West, where I have seen many hundreds of herds, at various points between this Agency and Southern Kansas, and have myself purchased many animals for the use of my expeditions. All the cattle in this herd were wretchedly gaunt and thin, and the majority of them were small, many being yearlings. A large number were of the kind known among cattle-men as "scallawags," and not a few were weak and decrepid. I noticed the character of these cattle particularly, because the beef issued at this Agency had been the subject of several conversations between Red Cloud, Gen. Bradley, and myself, and I was desirous of knowing with certainty whether the statements of the chief on this point were true. In the afternoon of the same day that the cattle were received, Nov. 14th, I witnessed, in company with Major A. S. Burt, the issue of beef, when a large portion of these cattle was delivered to the Indians. This delivery was made from the Agency corral, and the cattle were turned out, a small number at a time, to the chiefs or head-men, who were waiting with their mounted young warriors to pursue and kill them. I watched this issue with much interest from first to last, and saw every one of the cattle that were turned over to the Indians, as well as the remainder of the herd, retained for a subsequent issue. I am confident that the average weight of this herd was not more than 750 pounds, and this I regard as a liberal estimate.

Major Burt was by my side during the issue and saw all of these cattle. His testimony is especially important as he has long been stationed in the West, and is perfectly familiar with the subject of which he speaks. His opinion of the cattle we examined can be learned from the following extract from a certificate relating to affairs at Red Cloud Agency.

"FORT LARAMIE, WYOMING TERRITORY.

June 12th, 1875."

"I certify that I was present last fall, at Red Cloud Agency, when Professor O. C. Marsh was there; that we together went to the corral to see an issue of cattle to the Indians; that the cattle we saw at that time were Texas cattle in miserable condition, some of them so weak the Indians could not goad them out of a walk. The cattle were as a rule small in size."

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A. S. BURT,

Captain 9th Infantry.

In this region, the cattle should be in good condition at this season of the year, if ever, yet the cattle of this herd were so wretchedly poor that even the contractor, Mr. Bosler, deemed it necessary to apologize for them. In explanation of their condition, he informed me that he had been obliged to overdrive them, so as to reach the agency in time for the issue. I subsequently learned that this was a standing excuse, when persons not directly interested in Indian affairs witnessed a cattle delivery.

Essentially the same excuse for the inferior character of these cattle was made by Agent Saville in Washington, June 1, 1875, when questioned by Bishop W. H. Hare, in my presence, in regard to this particular issue. Agent Saville then stated, "that the poor condition of these cattle was owing to hard driving some forty-eight hours with little grass or sleep, to hurry them through, as the Indians had had no beef for some time, he having kept back rations to induce them to be counted. These cattle arrived in the morning, and he weighed most of them the same forenoon. Some few that were wild he did not weigh, but estimated. The issue was made on the same afternoon of the receipt. Among the cattle then issued were forty or more small and "scallawag" cattle. Agent Saville was confident that these cattle, thin as they were, would weigh 850 pounds on an average." On my questioning this, he insisted that "those he weighed came up to that average, and that those estimated were fully as large. He, himself, weighed all of the herd that were weighed on the morning they arrived." Memoranda of these statements of Agent Saville were taken down at the time by both Bishop Hare and myself, and at a subsequent conference were found to agree.

As I was confident that the weight of this herd of cattle did not exceed 750 pounds average, this positive statement of Agent Saville to Bishop Hare, that the actual weight of the cattle reached an average of 850 pounds each, as weighed by him, increased my suspicion that the whole transaction was fraudulent. I was not prepared, however, for the evidence which I found in the Second Auditor's office of the Treasury Department, where the receipts are filed as vouchers for the payment to the contractor. I there ascertained that Agent Saville had given a receipt for this same herd of 701 head of diminutive cattle, in which he certified that their actual weight as weighed by him was 731,485 pounds, *which would make the average exceed 1043 pounds per head.* More than this, I found that according to Agent Saville's receipts, all the cattle received during the same quarter of 1874 had reached nearly the same average, or more than 1,040 pounds each. As this is a matter of great importance, I here give the official statement as furnished by the Treasury Department.

Schedule of Beef-Cattle, delivered at the RED CLOUD INDIAN AGENCY, during the FOURTH QUARTER, 1874, as appears by accounts of W. A. PAXTON on file in this Office.

Date.	Head.	Weight.	Furnished by.
1874, Oct. 1,	663	691,509 lbs.	W. A. Paxton.
" " 20,	758	783,672 "	W. A. Paxton.
" Nov. 14,	701	731,485 "	W. A. Paxton.
" Dec. 3,	597	621,447 "	W. A. Paxton.
<hr/> Total, 2,719		<hr/> 2,828,113 lbs.	

SECOND AUDITOR'S OFFICE.
June 7th, 1875.

The foregoing is a correct statement as appears by the records of this office.

E. B. FRENCH,
Auditor.

In other words, this large herd of cattle which no one could fairly estimate at a greater average weight per head than 750 pounds, and which both the agent and contractor apologized for as being much inferior to their regular issues, and which Agent Saville only claimed to have weighed 850 pounds, were charged

to the Government by that official as weighing more than 1,043 pounds each, and the contractor actually received pay at that rate !

Of the cattle received during this quarter, other than the above, I have no personal knowledge, but, from all I could learn from those who had seen them, they were no better than the herd I examined, which Red Cloud in Washington pronounced a good one, and superior to most of those received. I think it would be safe to say that the cattle received for that whole quarter did not exceed 800 pounds average, and yet Agent Saville received for them to the contractor at over 1,040 pounds.

These frauds in weights, which are consummated by direct collusion between the agent and contractor, and through which both the Indians and the government are so greatly defrauded, form only part of the general system of theft. I have reason to believe that equal rascality is practiced in regard to the number of cattle. For example: there is conclusive evidence that the only cattle at the Agency, Nov. 11, 1874, were the seven head of puny animals examined by General Bradley; yet, according to the Provision Returns of Agent Saville for the 4th quarter of 1874, now on file in the Interior Department, he should have had 184,905 pounds, or, according to his official receipts, 179 head. It has been shown above, however, that the beef-issue which he claimed to have made Nov. 8th, did not take place. Hence, he should have had on Nov. 11th, at least 446,427 pounds of beef, or about 430 head of cattle, when he actually had only seven !

These various beef transactions took place under the contract assigned to W. A. Paxton, well known to be merely the agent of Bosler, who personally filled the contract. Although this contract had been violated in all its important features, and shameful frauds practiced in its fulfillment, Commissioner Smith did not call on the bondsmen of the contractor for satisfaction, as the law required him to do, but, on March 17th, 1875, privately made a new contract with the same W. A. Paxton (or in reality with Bosler), to supply beef for the same Red Cloud Agency at a

much higher price (\$3.00 per 100 pounds) than this contractor had originally bound himself to do. This contract was illegal, as it was given by the Commissioner without advertising for proposals. The bond required in this contract was \$40,000. How the contract was carried out will be seen from the testimony of Lieutenant W. L. Carpenter and others given below.

Lieutenant Carpenter was with me on my expedition in November, and was subsequently stationed at Red Cloud Agency, where he had the best opportunity to observe the whole management of affairs. Mr. Louis Reshaw (Richard) was also at the Agency, and intimately acquainted with what transpired there. Both were present at cattle issues in May last, and the results of their observation are embodied in their certificates here given :

I certify that on or about the 13th day of May, 1875, I witnessed an issue of beef cattle to the Indians at the Red Cloud Agency, Neb. That the cattle then issued were wretchedly poor, and about one half of them ridiculously small. Out of about 200 head which I saw killed at that time, there were but three oxen which would be accepted by an Army Commissary for issue to Troops. There were many yearlings in the herd, which would not net two hundred (200) lbs. of beef; and to the best of my knowledge and belief, the entire herd would not average seven hundred and fifty (750) lbs. gross weight.

W. L. CARPENTER,
1st Lieut. 9th Infantry.

Camp near Trinidad, Col., June 22d, 1875.

WASHINGTON, June 5th, 1875.

I hereby certify that I was at Red Cloud Agency, at the first beef issue in May, 1875, and that of the cattle then issued to the Indians more than one third were yearlings. I have full knowledge of this fact as I bought of the Indians over sixty hides of the cattle issued at that time. The remainder of the cattle left after this issue were all small, and not larger than those issued.

In the above issue no allowance was made to the Indians for the small cattle delivered, all counting alike.

LOUIS RESHAW.

It will be remembered that the contractor received a much higher price for these cattle than for those previously delivered, and that the contract called for "good merchantable beef cattle, averaging 850 pounds," and that, "if any cattle offered for acceptance should fail to conform to the requirements of this contract the same shall be rejected by the Agent." The above

certificates show the kind of cattle actually delivered under this contract. The kind of cattle paid for by the Government is indicated by the following extract from the records of the office of the Second Auditor of the Treasury, which is taken from the official receipts given by the agent to the contractor on which the latter receives pay. It will be observed that the general average for the whole lot is over 1,026 pounds.

Memoranda of Beef Cattle delivered at the RED CLOUD INDIAN AGENCY, commencing January 1st, 1875, as appears by Accounts on file in this Office.

Date.	By whom furnished.	No. of Head.	Gross Weight.
1875, January 1,	W. A. Paxton,	641	668,578
" February 1,	W. A. Paxton,	437	451,203
" February 17,	W. A. Paxton,	467	486,114
" March 1,	W. A. Paxton,	96	99,303
" March 25,	W. A. Paxton,	539	555,210
" April 1,	W. A. Paxton,	583	589,061
" April 21,	W. A. Paxton,	584	585,115
TOTAL,		3,347	3,434,584
SECOND AUDITOR'S OFFICE, July 8, 1875.*			

Another fruitful source of fraud in cattle at the Red Cloud Agency is the system of stampeding, which appears to have been practiced there, at least, since the present Agent took charge. A stampede of Texas cattle may result from various causes, and the natural result of a stampede of the Agency herd would be their immediate return to the contractor's herd from which they were driven. While at the Agency in November, 1874, I heard that a stampede of this kind had taken place a few months before. The particulars of this stampede, I afterwards learned from various persons—among them Louis Reshaw, who was familiar with the circumstances, and testifies to the facts in the following certificate :

* A few days after this date, the receipts for the next two lots of cattle received were sent to the Second Auditor's Office. The official account is as follows: "May 14th, 1875, 608 head, weighing 596,021 pounds; May 29th, 1875, 371 head, weighing 361,927 pounds." The average for the whole number exceeds 978 pounds. Part of these cattle were those examined by Lieut. Carpenter.

WASHINGTON, D. C., June 5th, 1875.

I hereby certify that in the summer of 1874 the herd of cattle at the Red Cloud Agency, which had been received by the Agent from the contractor, stampeded, and most of them, over a hundred in number, went back to the contractor's herd on the Platte. These same cattle were afterwards driven to the Agency, and were received for a second time by the Agent. The contractor's herder offered to sell me those cattle at \$10 per head before he drove them back to the Agency.

LOUIS RESHAW.

From such stampedes, and the fraudulent results following, both the Indians and the Government have suffered great losses.

V. Pork issued at the Agency.

Major A. S. Burt and myself were at the issue of provisions, November 15, 1874, and, among other things, saw and examined the pork that was delivered. The method employed in distributing this article to the Indians was characteristic of the management of affairs at this Agency. The barrels of pork were rolled out of the warehouse by one of the Agency employees, the heads of the barrels knocked in with an axe, and the contents turned upon the ground. The pieces of pork were then given to the Indians, who were waiting around, without being weighed or any other means adopted to insure a just distribution. This pork I examined, and found it old and strong. Some of it, at least, was rusty and unfit for human food. On this point Major Burt, in a certificate which he has recently sent me, states as follows: "I observed the pork given to the Indians; it was lean rusty stuff, unfit for anybody's use." The Indians received this pork ration with evident disgust. Most of them merely cut off the outer thin layer of fat, and threw the rest away on the spot. In one of the recent Councils in Washington, Red Cloud earnestly complained of the pork issued to him and his people, and said that he thought some of the children had died from eating it. After this particular issue, the Indians so strongly objected to the quality of this pork that the fact was reported by the Agent to the Department in Washington. The contract under which this wretched pork was furnished to the Indians was given to J. W[§] L. Slavens,

of Kansas City—well known as a favorite contractor of the Interior Department—and was signed by Commissioner Smith, July 11, 1874. It contained the usual phrases “that the article furnished should be subjected to a thorough inspection and careful comparison with the samples thereof”; and the usual bond was required. The price paid was twenty-one dollars per barrel.

VI. Flour issued at the Agency.

My attention was called to the flour rations at this Agency by Red Cloud himself, and this was one of the samples he gave me to take to Washington. A few days afterward, I saw the issue of provisions at the Agency, and my attention was again attracted to the subject by seeing a sack of flour, which an Indian woman had just received and was carrying away, burst open, and part of its contents fall on the ground. This flour was dark in color, and adhesive to the touch, although it had not been wet, and inferior in quality. The flour was in a single sack, without any brand whatever. I afterwards saw in the warehouse, apparently put up in the same way, and entirely without brands, a considerable number of sacks, although the contract especially stipulated that the flour was to be, “fresh ground, of XX quality, to be made wholly from good, sound wheat, and to be delivered in good, strong, double sacks, each sack to be branded “Indian Department Flour.” On none of the flour that I saw in the warehouse, did I observe any inspector’s brands, although some of the sacks may have had such marks without my noticing them.

I afterwards saw flour in three different Indian lodges, and all appeared to be of the same quality as that I saw issued at the Agency, and essentially the same as the sample Red Cloud had given me, although I made no direct comparison between the two. As the fairness of the latter, as a sample of the flour issued at the Agency, was subsequently questioned by Commissioner Smith and others responsible for Indian management, I have taken considerable pains to ascertain the quality of the flour

furnished to the Red Cloud Agency under the contract which was in force during the last half of 1874, when my visit was made, and during the first half of the present year. This contract was given to J. H. Martin of Denver, and was signed by Commissioner Smith, July 11, 1874. The flour was to be delivered in Cheyenne at the rate of \$2.50 per hundred pounds, a bond of \$10,000 being given to insure a faithful performance of the contract. I learn from good authority that this contract could not be honestly filled, according to the accepted sample, at the price paid.

The contract required "that the flour offered for acceptance under this contract shall be subjected to a thorough inspection, and careful comparison with the sample thereof which has been adopted, and if on such comparison and inspection any of the flour fails to conform to or equal said sample the same shall be rejected by the parties making the inspection." I have recently received a portion of the original sample of the flour on which the contract was based for the last fiscal year, 1874-75. This is a totally different article in appearance from the flour I saw issued to the Indians at the Agency, and in use in the lodges, and no one could mistake the one for the other. This sample of flour is the only sample, of all the supplies purchased last year, that the Department retained, by which to compare the supplies actually delivered to the Indians, and thus prevent fraud. The reason why this natural precaution against frauds has not been taken, remains for the Department of the Interior to explain.

Some of the first flour delivered under this contract, a lot of 2,000 sacks, or 200,000 pounds, reached Cheyenne in August, 1874. This lot of flour, more than one-third of the whole year's supply for Red Cloud Agency, was not inspected, as required. I am informed that Dr. Irwin, Agent for the Shoshone Indians, who was then in Cheyenne, detected the bad quality of that flour, and telegraphed the Department that the transaction was a fraud. Agent Saville was at Cheyenne at this time, and he has since informed Bishop Hare and myself, that he was ordered by Commis-

sioner Smith to send the flour on to the Agency; a sample of it, merely, to be retained by a citizen of Cheyenne, a leading member there of the Indian Ring, and who, as I am credibly informed, has since been under two indictments for attempting to bribe United States officials. This action on the part of Commissioner Smith would seem to indicate his own affinity with the Indian Ring.

Early in September, 1874, Major A. K. Long, of the U. S. Commissary Department, was appointed inspector at Cheyenne. In a recent communication, dated June 19, 1875, he states "that when he began his duties, there remained of the above lot of flour twenty-seven sacks, which he immediately rejected, but it was afterward shipped to Red Cloud Agency by the storekeeper—as the latter said, by mistake." Major Long states, also, "that he rejected a great deal of flour at first; then the grade became better, and that he rejected some flour that Barclay White, Superintendent of Indian Affairs, had inspected and passed at Omaha."

In Agent Saville's interview with Bishop Hare, in Washington, June 1st, at which I was present, the agent stated "that subsequent to the receipt of the above lot of flour, some 200 sacks of dark flour, inspected at Omaha by Barclay White, came to the Red Cloud Agency without being inspected at Cheyenne. This was very poor flour, and was issued about the time of my visit, and he thought the flour I saw there was part of this lot."

This testimony, from observers whose official duty it was to examine the character of the flour for Red Cloud Agency, effectually disposes of the statement which the Indian Commissioner gave to the Associated Press in contradiction of my first presentation of the case at Washington. The explanation of the Commissioner, which was published May 3d, was as follows:

"It is stated at the Indian Bureau, with reference to the complaints concerning supplies furnished to the Indians at the Red Cloud Agency, that all the flour sent there was inspected at Cheyenne by Major Long, Commissary of Subsistence of the United States Army, and passed by him as equal to the accepted sample. It is therefore claimed that the samples of inferior flour brought here by Professor

Marsh at the request of Red Cloud, were of some old issue, or, like the specimens of sugar and tobacco, had been damaged by exposure to the weather while in the Indians' possession."

Essentially the same statement was previously made to me by Commissioner Smith, and this discouraged me from giving him further information about mismanagement in Indian affairs.

VII. Sugar and Coffee.

The supplies of sugar and coffee at this Agency, I know comparatively little about. Red Cloud gave me a sample of each, which he said were such as he was then using, and Red Dog stated essentially the same thing. I saw both of these articles issued to the Indians, Nov. 15, 1874, but only noticed the sugar particularly. It was dark in color, moist, and of low grade. I did not compare this directly with the sample Red Cloud had given me, but I have no doubt the two were from the same lot, and virtually of the same quality. The coffee I did not see in bulk, but drank some of it as prepared at a feast in one of the lodges. This was certainly very inferior coffee, and not unlike such as I imagine Red Cloud's sample would make.

VIII. Tobacco.

The character of the tobacco furnished the Indians at this Agency has been a matter of considerable discussion, and justly so, as this article is regarded by the Indians as an important part of their rations. Both Red Cloud and Red Dog complained on this point at the first council I held with them, and one of the samples Red Cloud gave me was a specimen of the tobacco he was then using. This specimen attracted much attention among the officers in our camp, and led us to observe the quality in use among the Indians. All the tobacco we saw was vile stuff, dark in color, and much of it was saturated with a dark viscous liquid. I saw the tobacco issued to the Indians November 15th, but only noticed that it was dark in color. I subsequently saw the tobacco

used by Red Cloud, Red Dog, and Man-afraid-of-his-horses, and in one council smoked the tobacco placed by Red Cloud in his own pipe. All of this agreed apparently with the sample he gave me, and I have no doubt this sample fairly represented the tobacco issued to the Indians during my visit. Some of the officers who were with me at the Agency looked into this subject with still more care, and their opinion on this point coincides with my own. None of the tobacco we saw was of much service to the Indians, who use the article only for smoking.

IX.—Suffering of the Indians during the past Winter.

The suffering among the Indians at Red Cloud Agency during the past winter was very great. No small part of it could have been prevented by good management, while the greater portion must have been the result of the direct dishonesty which I have shown to exist.

The Indians had already suffered from cold before the Annuity goods were issued, Nov. 12, 1874. In consequence of this late delivery, they had no time to supplement the small number of blankets issued with buffalo robes before the winter set in. In less than a week after the issue, just as I started from the Agency on my expedition, the weather became extremely cold, the thermometer falling to 15° below zero; and as many of the Indians received no blankets at all, and most of those who did receive them found them too small to protect them from cold, the suffering was great. One of the chiefs, whom I had engaged before the issue to accompany me, informed me, after the delivery, that he could not go, being compelled, on account of the insufficiency of blankets, to the hunt for buffalo, as otherwise his family would suffer greatly during the hard winter he said was coming. During the extremely cold winter that followed, many of these Indians, as is now well known, narrowly escaped freezing.

The suffering for want of food during the past winter and spring is known to have been general among the Indians at this Agency.

I have evidence on this point from several sources, among others from Col. T. H. Stanton, Paymaster of the Army, whose duties called him to the agency. Another army officer who has given me information on this subject is Lieut. W. L. Carpenter, who was stationed there all winter. In a letter written at the Agency, in April last, he says: "The Indians are all quiet now. The poor wretches have been several times this winter on the verge of starvation, through the rascality of the Indian Ring. They have been compelled to eat dogs, wolves, and ponies." The supply of food purchased by the Government, carefully and honestly delivered, would have prevented all this suffering.

X.—Freight Contract from Cheyenne to Agency.

The goods and supplies for Red Cloud Agency are all transported by wagon from Cheyenne, on the Union Pacific Railroad, and hence the freight contract for this route is a very important one. Mr. D. J. McCann, a well-known member of the Indian Ring, has had this contract since the present Agency was established, and the official distance from Cheyenne to this point, as allowed by the Interior Department, is 212 miles. The price paid for freight, during the last fiscal year, was \$1.10 per hundred pounds for each hundred miles, and the previous year \$1.75 per hundred pounds was paid. This allowed distance of 212 miles was well known to be largely in excess of the true distance, and yet no effort seems to have been made by the Interior Department to ascertain the correct distance, although its attention had been called to the subject in 1873. In the meantime, the Land Office of the Interior Department has been surveying this same region, and had the Indian Bureau of the same department desired to know the exact, or even approximate, distance, it could readily have obtained official information on that point. In November last, while I was at the Red Cloud Agency, Mr. J. W. Hammond, assistant to the Surveyor-General of Wyoming, surveyed the route from Cheyenne to Red Cloud Agency, and informed me

that it was only 145 miles, and his official survey is now on record in Cheyenne.

It thus appears that the Indian Bureau has for years, knowingly, paid to a member of the Indian Ring over fifteen thousand dollars per annum for service that was not performed.

I think it fairly follows from the evidence I have now presented, that the samples of rations Red Cloud gave me to show to you represent the average quality of the supplies issued to his people, at least during the time of my visit; that this chief's complaints of his agent, which I brought to you, were literally true; and that the frauds in Annuity goods and beef cattle, which he declared to exist, were not over-stated.

The great difficulty in ascertaining the extent of these frauds, or even in making any investigation, is largely due to the fact, that the Interior Department has retained none of the original samples on which the purchases for Indians were made during the last fiscal year; the only sample known to the Department to exist being that of flour, at Cheyenne, where gross frauds have been committed. This difficulty is further increased by the failure of the Indian Bureau to transmit the accounts of Agent Saville for the last year to the Treasury Department, as required by law.

The responsibility for all this mismanagement and fraud should rest with Secretary Delano and Commissioner Smith, who have long known of the abuses at Red Cloud Agency. No less than five special Commissioners, or other officials, appointed and paid by the Department of the Interior, had personally investigated this agency before my visit, and given that Department information indicating the bad state of affairs there.

A portion of the responsibility for the inferior goods and supplies purchased last year should, perhaps, attach to Messrs. F. H. Smith, N. J. Turney and J. D. Lang, of the Board of Indian Commiss-

sioners. These gentlemen assisted in making the purchases, retained no samples by which the character of their purchases could be subsequently tested, and published no report of their action, as previous Purchasing Committees of the Board had done.

In conclusion, I have only to say, that having been, while engaged in my professional duties, incidentally made the bearer of Red Cloud's message to you, and having endeavored, when the justice of his complaints was questioned by those responsible for the management of Indian Affairs, to ascertain the truth, I now leave the whole subject in your hands, in perfect confidence that the facts I have presented will lead to good results.

Very respectfully,

Your obedient servant,

O. C. MARSH.

Yale College, July 10th, 1875.

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